Self-Determination
&
Self-Directed Supports
Handbook

Services for Individuals with Developmental Disabilities

MISSOURI DIVISION OF
**DEVELOPMENTAL
DISABILITIES**

Improving lives THROUGH
supports and services
THAT FOSTER self-determination.

www.dmh.mo.gov/dd   MISSOURI DEPARTMENT OF MENTAL HEALTH

Commonly used Acronyms in Self-Directed Supports

APTS	Action Plan Tracking System
CER	Community Event Report
CS	Community Specialist
DHSS	Department of Health and Senior Services
DMH	Department of Mental Health
DNR	Do Not Resuscitate
DR or Des Rep	Designated Representative
DSDS	Department of Health and Senior Services; Division of Senior and Disability Services
EIN	(Federal) Employer Identification Number
EOR	Employer of Record
EMT	Event Management Tracking
ES	Enrollment Specialist
FMS	Fiscal Management Service
HCY	Missouri Healthy Children and Youth Program
I & A	Information and Assistance
ISP	Individualized Support Plan
PA	Personal Assistant
PR	DMH Provider Relations
SB	Support Broker
SC	Support Coordinator
SDS	Self-Directed Supports
SDSC	Self-Directed Supports Coordinator
TC	Team Collaboration
UR	Utilization Review

For additional copies

See it online at the Division of Developmental Disabilities' website
https://dmh.mo.gov/dev-disabilities/programs/self-directed-supports
Use it online or print your own copy.

Forward

This handbook is for you if...

> - you are an individual with a developmental disability and you are eligible for services through Missouri Department of Mental Health's Division of Developmental Disabilities
> - you are a friend or family member of an individual with a developmental disability
> - you work in the field of disabilities
> - you care what happens to individuals with developmental disabilities
> - you are interested in self-directed supports

This handbook explains how Missouri Self-Directed Supports work. It will walk you through the process of being actively involved in creating quality support. Person-Centered Planning and Individual Budgets give individuals with developmental disabilities (with help, as needed) control to direct the supports they receive as much as possible. This handbook outlines the steps to creating choices in your life such as where you work, where you live and who helps you.

These are hard budget times. It seems there are less and less resources available to help individuals with developmental disabilities and waiting lists continue to grow. Now, more than ever, it's important for you and those who support you to have a loud voice regarding what you really need, and to have opportunities to speak out. **Person-Centered Planning** and individual budgets help give you that voice.

If you have any questions, visit the Division of Developmental Disability website at
https://dmh.mo.gov/dev-disabilities/programs/self-directed-supports, talk to your support coordinator or call your Developmental Disability Regional Office.

Central MO Regional Office 888-671-1041
  Kirksville 800-621-6082
  Rolla 800-828-7604
Kansas City Regional Office 800-454-2331
  Albany 800-560-8774
Sikeston Regional Office 800-497-4647
  Poplar Bluff 800-497-4214

Springfield Regional Office 888-549-6635
  Joplin 888-549-6634
St. Louis Regional Office 800-374-6458
  St. Louis Tri-County 800-358-7665
  Hannibal 800-811-1128

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Introduction to Self-Directed Supports

Self-Directed Supports (SDS) is an option for service delivery for persons with developmental disabilities who live in their own private residence or that of a family member. SDS enables individuals to exercise more choice, control and authority over supports. SDS is founded on the principles of **Self-Determination**. Under this option you have employment and budget authority.

- Employment authority allows you to recruit, hire, train, manage, supervise, fire and set wages employees. You must follow the laws as any other employer would, such as laws and regulations under the United States Department of Labor and Missouri Department of Labor and Industrial Relations.

- Budget Authority allows you flexibility over managing your yearly budget allocation. For example, you may use more services in one month and less in another or request to change from one approved waiver service to another, as long as you stay within the authorized budget.

Self-direction includes six core components: person-centered planning, individual control of budgets, independent support brokerage, financial management services, a back-up plan, and quality improvement.

Self-determination refers to individuals with developmental disabilities exercising control over their own lives, working toward achieving individualized life goals, and obtaining the skills and supports necessary to realize their visions for the future to build opportunities and relationships.

The following services may be self-directed:
- Personal Assistant
- Medical Personal Assistance
- Team Collaboration
- Community Specialist

Your Support Coordinator will assist you and/or your **designated representative** in understanding the choice of self-directed supports and transitioning from traditional agency-based services to self-directed services. You can also request a **support broker** to provide you with information and assistance to self-direct your supports.

When you choose to self-direct your supports you are the **employer.** You can select a designated representative to be responsible for employer related task.

The Division of DD contracts with a single **Vendor Fiscal/Employer Agent (F/EA) Fiscal Management Service (FMS)** organization to assist the employer/designated representative with payroll-related functions. These functions include: conducting a background screening of your employee candidates; collecting and processing required human resource related forms and information; collecting training documentation to ensure your employees are meeting requirements; collecting and processing employees' time sheets; processing employees' payroll and the associated federal and state income tax withholding employment taxes and other related payroll activities; providing budget utilization information; and brokering workers compensation. Beginning on February 7, 2016 the FMS started maintaining service documentation for you.

Support Coordinator	Support Broker	Fiscal Management Services (FMS)	Division of DD Self-Directed Supports Coordinator (SDSC)
Assists the individual, family, or designated representative in understanding the choice of self- directed supports and transitioning from provider driven services to self-directed services. Completes the Individual Support Plan (ISP) with the required self-directed information and paperwork and submits to the Utilization Review Committee for approval. Amends the ISP based on the needs of the individual. Conducts a 30 day follow up after services begin with the Individual and Designated Representative to ensure the services are being carried out as written in the individual service plan, reviews timesheets, progress notes, monthly summary, and answers any questions. Quarterly face-to- face monitoring and review visits for Individuals receiving SDS Personal Assistance & Community Specialist and Agency Support Broker Services at a Minimum. Assists the Provider Relations team with any follow up that is needed on the self-directed provider reviews. Participates in "Improvement Plans" in order to amend ISP if needed and provide monitoring to ensure needed changes take place.	A Support Broker provides information and assistance (I&A) for the purpose of directing and managing supports as specified in the ISP. SB does not do these activities for the individual/DR but provides I & A to assist in doing their employer related task independently. **May include training in:** • Establishing work schedules for the individual's employees based upon their ISP; • Helping with managing the budget and employee rate setting; • Seeking other supports or resources outlined by the ISP; • Defining goals, needs and preferences, identifying and accessing services, supports and resources as part of the person centered planning process which is then gathered by the support coordinator for the ISP; • Implementing practical skills training (recruiting, hiring, managing, terminating workers, managing and approving timesheets, problem solving, conflict resolution); • Developing an emergency back-up plan; • Implementing employee training; • Promoting independent advocacy, to assist in filing grievances and complaints when necessary. Assists the Provider Relations team with any follow up that is needed on the self-directed provider reviews.	The FMS is a "Fiscal Employer Agent" (F/EA). As authorized under IRS Revenue Procedure 70-6 for the purpose of payroll and payroll reporting services, the F/EA will file quarterly taxes and reports on behalf of the Employer/FEIN Holder. Provides the Employer/Designated Representative (DR) with an Enrollment Packet, Employee Packet(s) and Employee Training Materials. Completes payroll for the Employer/DR's employees and provides the employee with Federal and State tax withholding information on his or her paystub for each pay period and issues the W-2 after year-end. Establish and maintain workers compensation insurance on behalf of the Employer. Completes employee background checks. Maintains all employee education and training records. Maintains all service documentation and Monthly Summaries. Makes available Spending Report information to the Employer/DR, Support Broker, Support Coordinator and SDSC. Facilitates Electric Visit Verification (EVV) requirements.	Provides technical support and training regarding the policy and procedures related to self-directed supports. Meets with the individual and designated representative within 90 days of services starting to complete an initial review to ensure services have started and are being implemented as written in ISP, the Individual/Designated Representative are meeting SDS program requirements and answer any questions. The SDSC will review the progress notes, timesheets and monthly summaries. Complete Self-directed Provider Reviews to ensure service delivery is consistent with Medicaid Waiver requirements, State Rules, Division of Developmental Disabilities Policy, and Best Practices. Works with the Fiscal Management Service to coordinate enrollments, budget information, and problem solve issues/concerns, complete paperwork for high school exemptions. Review and take action on "Program Integrity Indicator" data. Facilitate improvement plan.

3/10/21

Individual/ Designated Representative (DR) Employer	Employee of the Individual/ (DR)
▪ Complete and submit for processing all required employer paperwork to establish the person serviced as an 'employer of record' and send to the FMS (Acumen); ▪ Recruit your employees; interview your employees and review their references. ▪ Once selected, have each potential employee fill out an Employment packet found at Acumen New Employee Paperwork. before sending it to FMS organization (Acumen) ▪ Receive "Good to Go" notice from the FMS organization (Acumen) that your employee candidate has passed the criminal background check before hiring him or her and allowing them to do any work for you; ▪ Hire your employees; ▪ Train your employees. Establish a list of tasks to be performed by your employees based on your ISP and Implementation Strategies you have created; ▪ Establish a work schedule for your employees. Employees working more than 40 hours per week cannot be billed to the Medicaid program. Time worked over 40 hours per week is the responsibility of the employer/Designated representative to pay and must be paid through the FMS (Acumen) in order to ensure employer related taxes are withheld. ▪ Manage your employees; ▪ Review your employees' performance and provide feedback either to acknowledge good performance and/or point out areas that may need improvement; ▪ Fire your employees when necessary and report to the FMS (Acumen); ▪ Review, approve and submit your employees' on-line time sheets and service documentation to the FMS (Acumen) organization; if you feel a time submitted does not correctly reflect the authorized hours worked, you must report any differences to the FMS organization (Acumen); and work with your employees to correct any errors; ▪ Ensure that your employees complete all on-line Service Documentation. ▪ Complete the Mandatory Monthly Summary on the (ACUMEN) website. This form describes the progress you (individuals receiving services) have made towards achieving ISP goals and objectives and provides an overall picture of how things are going for you, and that you are tracking your SDS Individual Budget Allocation. ▪ Make sure your employees have received and keep up with all required training and send to the FMS (Acumen), who will help you track this. If trainings and certifications are not maintained, the employee will not be able to enter time, any hours worked during an expired certification are the responsibility of the employer/Designated representative to pay and must be paid through the FMS (Acumen) in order to ensure employer related taxes are withheld. ▪ The FMS (Acumen) will maintain for you a personnel file for each of your employees which contains their training records, contractual agreements, background screening and a copy of their high school diploma or GED certificate; ▪ Create and maintain an Emergency Back-up Plan (http://dmh.mo.gov/dd/progs/selfdirect.html). ▪ Inform the FMS (Acumen) immediately when you have terminated an employee; make sure the employee has been fired in accordance with state department of labor fair firing practices. You must inform the FMS organization (Acumen) of the reason for firing so it can be documented in the employee's file. ▪ Appoint a temporary representative if the Employer/Designated Representative is not capable or available to manage Employees and contact Support Coordinator to evaluate if a new representative must be appointed.	▪ Listens to their Individual/DR Employer and follows his or her instructions about how and when he or she wants services to be delivered (e.g., meals prepared, bathing schedule, where shopping is done, etc.) ▪ Complete employment application and return to their employer. ▪ Maintains required training ▪ Reviews and complies with Employee Handbook ▪ Works with their Individual/DR Employer to complete accurate and timely timesheets and Service Documentation. ▪ Provides services as specified in the Individual Service Plan (ISP) and according to the preferences of the individual; ▪ Mandated Reporting: Reports incidents of abuse, neglect, exploitation, and fraud; changes in the individual's functional, physical, or cognitive condition and other events listed in the Employee Handbook to the Support Coordinator or Regional Office as soon as Health and safety is ensured. ▪ Stops billing if individual is hospitalized ▪ Agrees to a schedule to report for work and, if unable to complete commitment, calls the individual immediately to determine if the emergency back-up should be arranged ▪ Utilizes Electronic Visit Verification (EVV) requirements administered through FMS for clock in, clock out and logging service documentation for all time worked.

3/10/21

Self-Determination

Being self-determined involves choosing and setting goals, being involved in making life decisions, self-advocating, and working to reach goals.

Self-determination refers to a characteristic of a person that leads them to make choices and decisions based on their own preferences and interests, to monitor and regulate their own actions, and to be goal-oriented and self-directing. A person acting in a self-determined way has a voice in the decisions that affect them and is causing things to happen in his or her own life.

A frequent misinterpretation of self-determination is that it simply means "doing it yourself." For people who may have significant disabilities, this can be problematic. The ability to perform specific behaviors is secondary in importance to being the causal agent. So while a person may not be able to solve a difficult life problem without support, with appropriate support that person is enabled to act as a causal agent in the decision-making process and therefore is more self-determined. The more supports (e.g. friendships and community connections) that are available to people with DD, the more likely it is that they will have the necessary resources to cause things to happen in their lives.

One way to be self-determined is through self-advocacy activities. Advocating for oneself is an excellent demonstration of self-determined action.

DD Act Self-Determined Actions

Developmental Disabilities Assistance and Bill of Rights Act of 2000 (the DD Act) was created to assure that individuals with developmental disabilities and their families participate in the design of, and have access to, needed community services, individualized supports, and other forms of assistance that promote self-determination, independence, productivity, and integration and inclusion in all facets of community life, through culturally competent programs authorized under the law.

The DD Act ensures that an individual, with assistance:
- has the ability and opportunity to make choices and decisions;
- has the ability and opportunity to exercise control over services, supports, and other assistance;
- has the authority to control resources and obtain needed services;
- has the opportunity to participate in and contribute to their communities;
- has the support, including financial, to advocate, develop leadership skills, become trained as a self-advocate, and participate in coalitions and policy-making.

Creating an Environment to Support Self-Determination

Self-determination includes looking at the entire picture when developing strategies for support; taking into account both the capacities of the person and the reality of the environment in which the person lives and works. This looks at not only the person, but also the environmental context. So when creating activities that increase and promote self-determination, we would want to address not only the individuals in the group, but also the environment in which they are living. Elements and situations which need to be examined can include: interpersonal, family, organization, community, policy, and services and supports.

To best promote self-determination, opportunities need to be provided in all of the environmental contexts - at home, at work, at school, and in the community. For example: you can support meaningful participation on a board; you can find or create activities that develop self-advocacy skills; and you can promote building a wider social network and increase social capital.

The following outcomes can result from implementing activities that promote self-determination:
- Access to community resources and supports.
- Improved ability to manage one's daily life.
- Greater community participation and acceptance.
- Emotional/material/physical well-being.
- Range and variety of daily activities.

The Missouri Division of Developmental Disabilities defines Self-Determination as:

Individuals are the primary decision maker in their lives, pursue what is important to them and have a meaningful role in the community. This includes five key principles:

- **Freedom:** Individuals will live a meaningful life in the community and make choices about their lives.
- **Authority:** Individuals will have meaningful control over a set amount of dollars that can be used to build the supports they need by purchasing only what is needed and paying for what is received.
- **Support:** Individuals will have support to organize resources in ways that are life enhancing and assist them in reaching their dreams and goals. Individuals have a circle of supports made up of family, friends, and both paid and unpaid supports.
- **Responsibility:** Individuals assume responsibility for giving back to their community, for seeking employment, and for developing unique gifts and talents.
- **Confirmation:** Individuals are recognized for who they are and what they can contribute, having a leadership role in developing policies that affect their lives and helping others reach success.

Supports to promote self-determination focus on:
- enhancing personal capacity,
- improving opportunity, and
- modifying the environment.

Choice Has Limits

Public funds will not be used to support choices that are illegal or harmful to you or others. The choices must be available to all. Public funds will be used as the payer of last resort.

Self-Determination is Not an Excuse

Self-determination is not an excuse for leaving someone in an unsafe situation on the grounds that he or she "chose" it. Self-determination is sometimes used as an excuse for letting individuals do things that are unsafe because "it is their choice." It is not acceptable to offer a choice with either too many restrictions or no support at all. Self-determination means becoming more creative in helping you find ways to learn decision-making and manage your actions.

* * *

Shifting Pattern

From		To
Professionals planning for you		You and your 'Circle of Supports' planning for your supports
Counting on a paid professional who is only temporarily part of your life		Reliance on the lifelong commitment of people you have chosen to be in your life, including your family, friends and other natural supports
A view that only professionals can be responsible		Respect for the fact that you, your family, and your friends have a vested interest in acting responsibly on your behalf
Support Coordination as a means to let people into existing services		Individualized support planning as a way for you, your family, and your friends to organize supports in response to your needs and dreams
The belief that quality is created by relying on regulations, oversight and monitoring		The belief that true quality is created by enhancing your circle of supports and connecting you to your community

Chapter 1: *Living Your Life:*
Individualized Support Planning

What is the Good Life? Most individuals say it's about the basics--a pleasant home, a decent job, health, safety, having caring people around you, and feeling good about yourself. Individualized support planning and self-direction can help you get the supports that will help lead you to your vision of the "good life."

Self-determination and Individualized Support Planning means:

> ➢ Making your own choices
> ➢ Taking responsibility for your decisions
> ➢ Speaking up when you are not happy about something
> ➢ Having control over your own life
> ➢ Being willing to try new things
> ➢ Figuring out what you do and don't like
> ➢ Asking for help when you need it
> ➢ Gaining knowledge of resources available

Having control and making your own decisions is powerful. Everyone needs help in different parts of his or her life. You can choose the people who will help you attain your goals in life.

When you are an employer and your employees are working for you as part of your team, you know everyone has the same goals. Those goals are based on the things that are important to you.

Many of the things you want in your life will cost money. You may have to buy some of the help you need. Other goals you have will cost little or no money. You may have some money from the county, state or federal government to purchase support in your home, community or at work. Determining how money is spent is especially important when there isn't enough money to go around for everyone who needs it. Using money carefully helps you gain control of your life and your future.

Everyone has an Individual Support Plan (ISP). The person-centered planning process is used to develop your ISP. Person-centered planning helps you figure out what is important to you and for you in order to improve the quality of your life and plan for your future.

When you have planning meetings you are encouraged to invite people whom you like and trust to help you. This might include your family, friends, co-workers, paid professionals or others to create your circle of support. Together you will also discuss ideas for implementing the ISP and changing it when necessary. This is the time to dream; the time to develop a vision of what you want in your life.

Your support coordinator will help you develop, start and change your ISP as needed. They will write your plan and share it with the people on your team. The plan will state what support you need, who will provide the support, when it will be provided and how much it will cost. The plan should also describe things you want in your life that do not cost money. Some of these free

things might include time spent with family, favorite activities, church membership, club memberships, favorite neighborhood hang-outs, the way you like your home decorated or how your personal care is completed. All ISPs need to address health and safety issues as necessary.

Some people assume that individuals with severe developmental disabilities may not be able to be involved in the decision-making process. You must be offered the opportunity to be as involved in decision-making as possible. A support coordinator's job is to guarantee this occurs. Having a strong circle of support or support team can help ensure that your needs, preferences and priorities are met.

> ***Person-Centered Planning*** helps you figure out what is important to you and for you in order to improve the quality of your life and create your future.

The ISP is reviewed regularly with you and your support team. This helps make sure your plan describes the supports you need accurately. At times, you and members of your support team may disagree about support needs or personal goals. This often happens when you want to try something new that other people think sounds too risky. A good support coordinator will help you express your opinions, while listening respectfully to the people who are important to you. The support coordinator can help you resolve these conflicts to make sure that your support needs are met and the people important to you continue to work as a team. A strong support team helps you try new things and works with you to balance health and safety concerns as well.

Deciding on Paid Supports:

Your ISP will document your support needs and priorities. It is very important that your ISP identifies and helps you to maintain and develop natural supports, friendships, connect you to community resources and helps you to utilize technology. Your ISP will describe the things that maintain, enhance or improve your life. During the planning process, you and your support team will decide how to provide these supports in a manner that meets your needs.

Everyone's plan is different. One individual may choose to purchase paid support entirely from agencies that specialize in helping people with developmental disabilities. Another may choose a combination of an agency and self-directing some supports. A third individual may decide not to utilize any agency support, but instead self-direct all supports, hiring and supervising his or her own staff. There are limitations in choosing your supports, including staying within your individual budget and ensuring your ISP addresses all your health and safety needs and following program guidelines.

Things to think about when developing an ISP:

What do you want your life to look like in the next 12 months? 2 years? 5 years?
- Who is important to you?
- What is important to you?
- What do you need to stay healthy and safe?
- What support is most vital or important to you?
- What natural supports do you currently have?
- What supports cost money and how can family, friends or community members help?
- In what areas do you need help/support?
- If you can't afford everything you want, what are your top priorities?
- If there are personal funds available, how can these help you get what you want/need?
- Do you need a designated representative to manage the day to day activities of your employees?
- What do you want your employee to do and what trainings are needed?
  - Would you like your personal assistant to be exempted from any training?
  - The Personal Assistance Assessment with Training Exemptions is your tool when making these decisions.
- What is your back-up plan if your employee, who is providing essential supports, is unavailable?
- Will you want family member to provide support (see family as caregiver guidelines)?

An Individual Support Plan is the blueprint that connects you to your friends, family, and community.
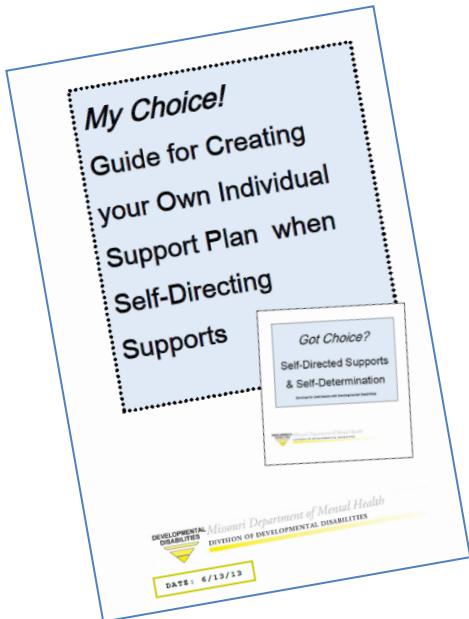
"My Choice a Guide for Creating your Own Individual Support Plan when Self-Directing Supports, is a helpful tool that can be used when designing supports.

The guide can be found at www.dmh.mo.gov/dev-disabilities/programs/self-directed-supports

Chapter 2: *Self-Directed Services*

When you self-direct your supports, you are the employer* and must direct and manage your employees' day to day activities, making sure the services are provided as written in your plan and perform other the duties of an employer. If you are unable to do so, you can choose a designated representative who has agreed to be responsible for these tasks. Your guardian may also choose a designated representative.
(*For individuals under the age of 18 the parent/guardian is the employer.)

Designated Representative
You may choose the following people to be a designated representative, as available and willing:
- spouse (unless a formal legal action for divorce is pending);
- your adult child;
- your parent, brother, sister or another relative;
- Or other another person who can demonstrate a history of knowledge of your preferences, values, needs, etc.

You and your planning team are responsible to ensure that the selected designated representative is able to perform all the employer-related responsibilities and follows the policies associated with representing you in directing services and supports. The planning team and Fiscal Management Service organization (FMS) will recognize your designated representative as a decision-maker and provide the representative with all of the information, training, and support they would typically provide to you when you are self-directing. The representative must sign an agreement that lists his or her responsibilities and states that he or she will act in your best interest. This person may not be paid to provide services to you. *(See 'Designated Representative Authorization' form in FMS Enrollment Packet)*

Support Broker
A Support Broker (SB) is someone who works for an agency who provides you and/or your designated representative (DR) with information & assistance in order to Self-direct supports. The Support Broker does not do these tasks for the individual/designated representative, but provides information and assistance in order for the individuals/DRs to fulfill their employer related SDS responsibilities. The goal for everyone in SDS is to move towards 'Independence' and for individuals and families to have the support they need in order to self-direct services. Some Individuals/DRs find that they do not need a Support Broker.

Support Broker Assessment.
This assessment will assist in determining what supports are needed in order for you and or your designated representative to be successful in self-directing supports.

Activities of your Support Broker may include Information and Assistance in order for you to:

- Recruiting workers
- Hiring workers
- Managing workers
- Terminating workers
- Managing and approving timesheets
- Organization/ maintaining documents
- Problem solving
- Conflict resolution
- Filing grievances and complaints
- Establishing work schedules
- Understanding documentation requirements
- Assisting with monthly reviews
- Managing budget and employee rate setting
- Seeking supports or resources
- Define goals, needs and preferences
- Development of Emergency Back-up Plan
- Employee training
- Understanding the Role of Employer/DR, SC, FMS and RO

A Support Broker cannot serve as a Personal Assistant or perform any other waivered service for you.

Self-Directed Services

You can self-direct the following services:
- ➢ Personal Assistant
- ➢ Medical Personal Assistance
- ➢ Team Collaboration
- ➢ Community Specialist

Each of these services has a different function and may have different training requirements for employees. All employees must complete Abuse and Neglect training prior to employment and then every two years after that. Each employee must be trained on information within your ISP each year.

Transportation is not part of Personal Assistant or Community Specialist Services. If your employee agrees to drive you somewhere, it is your responsibility to ensure the driver has adequate insurance coverage and a valid driver's license.

Personal Assistant

A personal assistant can help you with any number of daily activities, which may include:

- Bathing
- Toileting
- Transfer and ambulation
- Skin care
- Grooming
- Dressing
- Extension of therapies and exercise
- Care of adaptive equipment
- Meal preparation
- Eating
- Incidental household cleaning and laundry
- Shopping
- Banking
- Budgeting
- Using public transportation
- Social interaction
- Recreation and leisure activities
- Activities to achieve Increase Independence, Productivity or Inclusion in the Community

Your personal assistant may be at your side while you do these activities, may teach you how to be more independent in these areas, or may help you do the things you cannot do for yourself. Your personal assistant can help you to be part of your community. Personal assistance may also include someone being at your side to make sure you are safe and get what you need.

Medical Personal Assistant

Under special conditions you may need enhanced medical personal assistance services. These services have training requirements that cannot be waived. Because of these conditions you may need a Community Specialist, or other professional to provide training and oversight for your personal assistance services.

Medical personal assistance: If you have special medical support needs you may need a personal assistant who has a higher level of training. Because of advanced training requirements, these employees may be paid at a higher rate. This advanced training is related to your medical needs as outlined in your ISP and as prescribed by your physician or advanced practice nurse.

Medical personal assistance requires the training, delegation and periodic supervision of care by a licensed medical professional.

Team Collaboration

Team Collaboration allows your employees providing personal assistance service to participate in your ISP and to meet as a team to ensure consistency in its implementation. A team meeting also can be convened by you or your designated representative for the purposes of discussing specific needs of the individual, the individualized progress towards outcomes, and other related concerns. Team collaboration can be included in the individual budget up to 120 hours per plan year.

Personal Assistance* pre-employment training requirements include High School Diploma; GED; or Regional Office Exemption and the following, unless the employer/designated representative have exempted the training and the exemption is justified in the ISP:

- CPR training- American Red Cross or American Heart Association
  - (Cannot be exempt for Medical PA)
- First Aid training- American Red Cross or American Heart Association
  - (Cannot be exempt for Medical PA)
- Medication Administration training
  - (Cannot be exempt for Medical PA if providing medication administration)
- Behavioral Intervention Training
  - (as needed, due to challenging behavior by the individual)

*The employee must keep all training current during the duration of employment. The Fiscal Management Service (FMS) maintains and tracks required training for the individual/designated representative. If trainings or certifications are not current with the FMS, the employee will not be able to enter time in the web portal. As an employer it is your responsibility to ensure that your employees meet training requirements.

The Personal Assistance Assessment with Training Exemptions form on the SDS web page of the Division website helps you ensure those requirements are being met. All training exemptions must be justified in your ISP.

Community Specialist

A community specialist is a person who has a degree, special training and knowledge in providing support in their particular area of expertise. The service includes professional observation and assessment, individualized program design and implementation and consultation with your employees. This service may also include advocating for you and assisting you in locating and accessing specialized services and supports.

A community specialist can be used when specialized supports are needed to assist you in achieving outcomes specified in the ISP such as:
- enhance self-direction
- independent living skills
- community integration
- social, leisure and recreational skills
- nurse delegation
- contributing to the development of a positive behavior support plan

Community Specialist* pre-employment training requirements include one of the following education and experience requirements:
- Bachelor's degree from an accredited university plus one year experience
- Registered Nurse (with an active license in good standing, issued by the Missouri State Board of Nursing)
- Associate's degree from an accredited university or college plus three years of experience.

*Employee must keep all training current during the duration of employment. The Fiscal Management Service (FMS) (Acumen) maintains and tracks required training for the individual/designated representative. If trainings or certifications are not current with the FMS, the employee will not be able to enter time in the web portal.

The Community Specialist Assessment   form on the SDS web page of the Division website helps you ensure those requirements are being met.

Who is eligible to work for you through SDS?

Anyone over the age of 18 with a high school diploma or GED who you choose to hire, with the following **exceptions**:

- Your spouse
- Your parent if you are a minor (under age 18)
- Your legal guardian or anyone with any legal authority over you
- Your designated representative
- Anyone with a felony or offense that is disqualifying

A Community Specialist must have a bachelor's degree plus one year experience **OR** be a Registered Nurse **OR** have an Associate's degree plus three years of experience.

Please note that in order to self-direct supports you must live in your own private residence or that of your family member. You cannot live in the home of your employees. If you would like to live with non-family members who are providing you with supports, you may want to consider the option of **Shared Living**.

Can my family members work for me?

Your family member(s) may provide only Personal Assistance services. They must meet all qualifications listed in this document. In addition, when you hire a family member, your ISP must reflect:

- You are not opposed to your family member providing the service;
- The services to be provided are solely to support you and not a typical task for the family unit (i.e. family laundry);
- Your support team agrees that your family member will best meet your needs;

Family members cannot be hired to provide support broker or community specialist services.

The paid family member cannot be the guardian or designated representative, or parent/step-parent of child under 18.

Family member is defined as a parent, step parent, sibling, child by blood, adoption, or marriage, spouse, grandparent, or grandchild.

Chapter 3: *Creating an Individualized Budget*

Part of the planning process is to figure out how to meet your needs and create a good life and help you achieve your goals. Your support coordinator will help you do this.

Your Support Coordinator will work with you and/or your designated representative to figure out how to pay for the things you need. They will talk to you about using the different funding sources available, including your own resources, as well as community and natural supports.

Individualized Budget Checklist

You and/or your designated representative and support coordinator will work together to develop an individual budget allocation. You figure out different ways to use funding resources. Some find the process of developing a budget confusing and overwhelming, while others enjoy trying to piece the puzzle together.

The following guidelines are helpful when developing budget scenarios:

- Decide what support you <u>must</u> have in order to be healthy and safe and to reach your personal outcomes and which supports may not be as important right now.
- Look at all the resources you have right now - natural supports: relationship and community based and eligibility specific supports; and your personal income.
- Talk about the help you may need to increase the amount of natural supports in your life and increase your income.
- Talk about eligibility specific supports and programs available. Discuss the purpose of each eligibility specific supports and how they can be used. All of these sources will have rules you have to follow or strings attached.
    - MoHealthnet Services Guide to Understanding MoHealthnet Services
    - DESE- Vocational Rehabilitation http://dese.mo.gov/vr/vocrehab.htm ,
    - Missouri Statewide Independent Living Council http://www.mosilc.org/
    - and others
- Discuss other ways to reach your goals such as scholarships, grants, loans, sponsorships, bartering, cooperatives, etc.
- Make sure all your needs and goals are covered.
- Use the **SELF-DIRECTED SUPPORTS ASSESSMENT FOR PERSONAL ASSISTANT AND TRAINING EXEMPTIONS** as a tool to decide the number of hours of supports that you need after you have factored in all of your other supports.
- The SDS Individual Allocation Tool is used to create your total SDS Individual Budget Allocation.
- Once you receive your SDS Individual Budget Allocation, the SDS Pay Rate Calculator is used to determine the rate you can pay your employees while staying within the Medicaid service maximum rates and your SDS Individual Budget Allocation. The SDS Pay Rate Calculator allows you to see the TOTAL cost (Loaded Rate) for the service. The employee's rate plus the employer related tax and workers compensation cost.

You and/or your designated representative will receive a copy of your SDS Individual Budget Allocation from your Support Coordinator.

Chapter 4: *Being an Employer*

Fiscal Management Service (FMS)

When self-directing supports, you will receive assistance with portions of your employer related responsibilities from a Fiscal Management Service (FMS). The FMS for Missouri is **ACUMEN** **https://www.acumenfiscalagent.com/missouri/** .
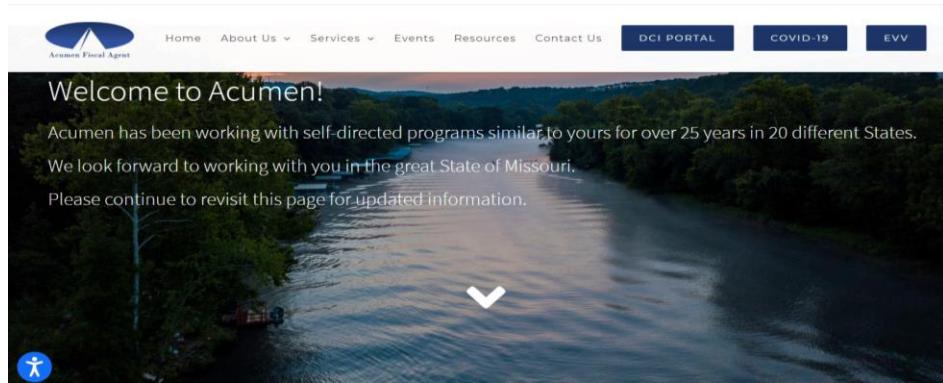
When you self-direct supports, you have the freedom as well as the responsibilities that come with being an employer. The FMS (ACUMEN) acts as an agent for you with these tasks.

The FMS (ACUMEN) assists you with:

- Managing your budget by providing you with spending reports to help you keep track of your budget.
- Processing and completing employer enrollment and employee human resource related forms;
- Processing prospective employees' background checks;
- Verifying your prospective employees' citizenship and legal alien status;
- Verifying that your employees have documentation of required training;
- Processing and distributing your employees' payroll and filing and paying associated federal and state income tax withholding and employment taxes; and
- Facilitating the receipt of a workers' compensation insurance policy and payment of premiums for you and your employees.
- Maintaining your required service documentation and monthly summaries *(Began February 7th, 2016).*

The FMS (ACUMEN) organization will verify that your employment-related paperwork is completed correctly. They will notify you if there are any errors that prevent your paperwork, or your employees' paperwork, from being processed. It is important that you submit corrected forms to the FMS (ACUMEN) organization in a timely manner to prevent any service delays.

The FMS (ACUMEN) organization will also notify you once your prospective employees are clear for hire, based on the results of a background check. **You must not allow any person/ applicant/ prospective employee to begin working for you until the FMS** (ACUMEN) **organization notifies you that your prospective employee has received a "Good to Go".**

When self-directing your supports you and/or your designated representative are required to:

- Complete and submit for processing all required employer paperwork to establish the person serviced as an 'employer of record' and send to the FMS (ACUMEN);
- Recruit your employees; interview your employees and review their references.
- Once selected, have each potential employee fill out an Employment packet found on Review packet before sending to FMS organization
- Receive "Good to Go" notice from the FMS organization that your employee candidate has passed the criminal background check before hiring him or her and allowing them to do any work for you;
- Hire your employees;
- Train your employees based on the ISP;
- Establish a work schedule for your employees. Employees working more than 40 hours per week cannot be billed to the Medicaid program. Time worked over 40 hours per week is the responsibility of the employer/Designated representative to pay and must be paid through the FMS in order to ensure employer related taxes are withheld.
- Establish a list of tasks to be performed by your employees that is based on your ISP
- Manage your employees;
- Review your employees' performance and provide feedback either to acknowledge good performance and/or point out areas that may need improvement;
- Fire your employees when necessary and report to the FMS;
- Review, approve and submit your employees' on-line time sheets and service documentation to the FMS organization; if you feel a time submitted does not correctly reflect the authorized hours worked, you must report any differences to the FMS organization; and work with your employees to correct any errors;
- Ensure that your employees complete all on-line Service Documentation.
- Complete the Mandatory Monthly Summary on the FMS website by the 15th of each month. This form describes the progress you have made towards achieving your ISP goals and objectives and provide an overall picture of how things are going for you.
- Make sure your employees have received and keep up with all required training and send to the FMS, who will help you track this. . <u>If trainings and certifications are not maintained, the employee will not be able to enter time, any hours worked during an expired certification</u> are the responsibility of the employer/designated representative to pay and must be paid through the FMS in order to ensure employer related taxes are withheld.
- The FMS will maintain for you a personnel file for each of your employees which contains their training records, contractual agreements, background screening and a copy of their high school diploma or GED certificate;
- Create and maintain an Emergency Back-up Plan (https://dmh.mo.gov/media/pdf/self-directed-supports-back-plan-emergency-contacts-form).
- Inform the FMS immediately when you have terminated an employee, make sure the employee has been fired in accordance with state department of labor fair firing practices. You must inform the FMS organization of the reason for firing so it can be documented in the employee's file.
- Appoint a temporary representative if the Designated Representative is not capable or available to manage Employees and contact Support Coordinator to evaluate if a new representative must be appointed.

Employee Rate Setting

Once you receive your SDS Individual Budget Allocation, the SDS Pay Rate and Budget Calculator is used to determine the rate you can pay your employees while staying within the Medicaid service maximum rates and your SDS Individual Budget Allocation. The SDS Pay Rate and Budget Calculator allows you to see the total cost (Loaded Rate) for the service. The loaded rate is the employee's hourly rate plus the employer related taxes and workers compensation cost. The SDS Pay Rate Calculator can be found under the Program Documents tab on ACUMEN's website https://www.acumenfiscalagent.com/missouri/.

All new individuals enrolled in SDS will have a default maximum employee wage, which is sent to the FMS on the Referral Form. This default maximum wage is based on the allocation rate minus employer related taxes and workers compensation. This default employee wage rate ensures that you will stay within your budget allocation if all the employees are paid at the same rate and the number of hours stays the same.

If you would like for your employees to have periodic salary increases based on employee performance, that will need to be taken into account when setting an initial hourly pay rate for the employee by setting an employee wage that is below the default employee wage. This would be the amount you put in the Employee Pay Rate Form in the list titled Employee Forms and Information for Employers at Acumen's website. You may also choose to have your employees be paid at different rates.

You are allowed to set any rate that stays within the Medicaid Maximum and minimum wage.   If you would like to set your employee's wage at a rate higher than the default employee wage, you will need to reduce the number of hours that you receive or have employees paid at different rates.

The FMS will provide basic information on using the "SDS Pay Rate and Budget Calculator" during enrollment. If you need additional assistance in employee rate setting, it is the role of a Support Broker to assist. If you do not have a Support Broker contact your Support Coordinator to begin receiving Support Broker services.

SDS Individual Allocation Tool

SDS Pay Rate Calculator

Service and Rate Change Form

Service Documentation

All services provided must be adequately documented. Adequate documentation describes various covered activities or services in which the individual participated, progress towards goals when identified in the ISP, and unusual events.

- Must be sufficient so that it is understandable, explains what supports were provided, and can be verified with reasonable certainty that the services were provided; as well as justify the time of service billed.
- Since February 7th, 2016 the FMS maintains service documentation for you.* All prior service documentation must be maintained by the employer/designated representative for a period of six years (Even when you choose to stop self-directing supports);
- You are responsible to ensure your employee(s) are entering service documentation into the web portal. It is recommended that entry is done **on the date the service was provided**. But all service documentation must be entered into the DCI portal no later than 5 days after the service is provided. *13 CSR 70-3.030(D)*
- Your service documentation is monitored by your support coordinator.

WEB PORTAL SERVICE DOCUMENTATION SCREEN

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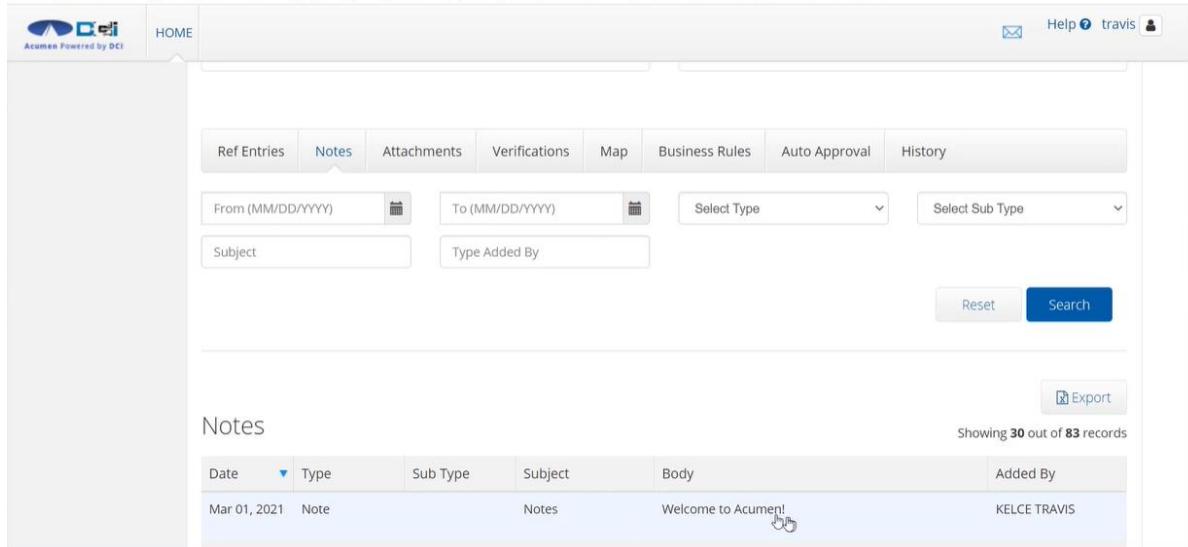
* Please note that if you were self-directing supports prior to February of 2016 you must maintain the following:
- *Mandatory Self-directed Supports Documentation (archives must go back six years). Time recorded on this document must be consistent with what is submitted on the FMS (Acumen) timesheets (**archives must go back six years**).;*
- *Mandatory Monthly summary – report documenting progress for all SDS services and budget tracking (**archives must go back six years**).*
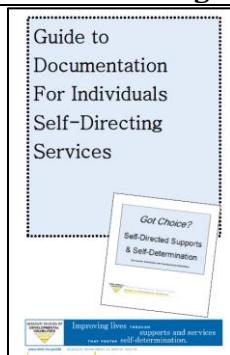
The Guide to Documentation will help you and your staff understand documentation requirements
https://dmh.mo.gov/media/pdf/guide-documentation-individuals-self-directing-services

EVV

Electronic Visit Verification (EVV) is a technology that automates the gathering of service information by capturing time, location at beginning and end of service and type of service performed. Electronic timesheets and service documentation allows for employees to submit time worked with supporting documentation. The individuals/designated representatives can then approve time and ensure that the required service documentation is maintained.

EVV gives SDS Employers, Support Coordinators, and state agencies access to service delivery information in real time to ensure there are no gaps in care throughout the entire course of the service plan. The technology helps to reduce the occurrence of fraud in home care delivery by removing the elements most closely associated with improper record keeping including paper time sheets and manual billing.

EVV is administered through the FMS and is outlined in the EVV chapter of the Acumen Employer Handbook. Additional information on EVV can be found on the DMH website in EVV FAQ sheet.

Monthly Summary

You or your designated representative are also responsible for monitoring your budget and completing a monthly summary on the FMS website by the 15th of each month. The Monthly Summary describes progress on goals and outcomes listed in your ISP and summarizes your overall status and that you are staying on target with your individual budget allocation. Since February, 2016 the FMS maintains the Monthly Summary for you. If you are using a self-directed Community Specialist service you include this information in your summary.

MANDATORY Monthly Summary is entered on the FMS web-portal

If you have Support Broker services, he/she must also complete a monthly summary. This summary helps you measure your success towards becoming independent in your employer duties. Your agency support broker will give you a copy and send a copy to your support coordinator.

When you are self-directing your supports it is recommended that you keep a copy of all paperwork that you sign. However, some of these documents are also maintained by your support coordinator, regional office or Fiscal Management Service (FMS).

The documents listed below **must** be maintained by you, the employer/designated representative, and be available for your SC to review*:
- Individual Support Plan, including budget information;

- The Emergency Back-up Plan (to ensure adequate coverage in case of emergency);

The Self-Directed Supports Employer Document Checklist
https://dmh.mo.gov/media/pdf/self-directed-supports-employer-checklist
helps you keep track of these documents.

Ensuring the Availability of Back-up Services

Back-up plan: As with all Medicaid services, you are required to have an emergency back-up plan to handle situations when your employee, who is providing essential supports, is unavailable; you or your Designated Representative is not capable or available to manage employees; and handling other emergencies. The ISP needs to include the method to deal with these situations.

You need to identify back-up friends, family or other natural supports, trained and qualified employees, or agency providers whom you can call for assistance. If back-up services are to be purchased from an agency provider, you must consider such costs in the budget. In addition, your employee who is paid to provide back-up services must not be already scheduled for 40 hours per week.

You must identify in the back-up plan, what needs to take place if you or your Designated Representative is not capable or available to manage employees. This may include: 1) Appointing a temporary representative, who has received information on the responsibilities of being a designated representative and information on using the FMS web portal. 2) Receiving care from unpaid natural supports. 3) Having a plan to receive agency based supports.

The ISP must also address the means for summoning assistance should the need arise. All members of your support team need to be educated about your back-up plan. All emergency numbers must be accessible to your employees. (See https://dmh.mo.gov/media/pdf/self-directed-supports-back-plan-emergency-contacts-form)

Chapter 5: *Creating Quality*

Quality Enhancement (QE) is a process in place to monitor and ensure quality services are provided. There are standards that must be met by you and your designated representative in your role in self-directing supports through the Medicaid Waiver program. These requirements are in place to ensure you can live a safe and productive life and meeting the requirements of this funding source.

Quality Enhancement asks these questions:

- Are your needs being met?
- Are you healthy & safe?
- Are your supports being delivered as described in the ISP?
- Are you supported to meet your personal goals?
- Are your supports being delivered on time; and with care and respect?
- Do you have choice and opportunity in your life?

Your Team Helps Create Quality

Members of your support team will include:

- *Support Coordinator:* The SC is the primary Quality Enhancement monitor. It is important for you, your designated representative and/or your family to have an open relationship with your SC. Each of you should feel free to speak up and ask questions. The SC is required to monitor your services no less than quarterly.
- *Family, guardian, designated representative and friends:* People who care about you help keep an eye on how things are going. They are encouraged to be active members of your support team. They know you in a special way and often have a unique perspective.
- *Your employees*: Many individuals have paid support staff that helps them at work and/or at home. These employees can help you be more independent and lead a fulfilling life. They are key team members because they are with you a lot. These employees are trained to provide services based on your needs and goals.

Others that support your team in creating and monitor quality include your Fiscal Management Service and the Regional Office Self-Directed Support Coordinator and Regional Office Provider Relations Team.

Quality Enhancement (QE) Includes:

- Incident Response System & Event Management Tracking
- Self-Directed Support Regional Office Reviews
- Self-Directed Support Services Monitoring
- Self-Directed Support Improvement Plan

Incident Response System & Event Management Tracking: DMH tracks events to ensure your health and safety. The department looks at these events to improve programs and services. You and your unpaid family members are not required to report these incidents, but any employee paid to provide Medicaid Waiver services is required to report any events that could impact your health or safety. If any of the following occur, your employee should first ensure your health and safety and then should contact your designated representative (if you have one), and your support coordinator or the office on-call staff as soon as possible:

1. All events where there is a report, allegation or suspicion that an individual has been subjected to Misuse of Consumer Funds/Property, Neglect, Physical Abuse, Sexual Abuse or Verbal Abuse. (9 CSR 10-5.200)
2. All
   a. Emergency room visits,
   b. Non-scheduled hospitalizations,
   c. Deaths of individuals served by DD,
   d. Medication Errors that reach an individual,
   e. Incidents of Falls, *The apparent (witnessed, not witnessed or reported) unintentional sudden loss from a normative position for the engaged activity to the ground, floor or object which has not been forcibly instigated by another person.*
   f. Uses of Emergency Procedures with an individual.
   Emergency Procedures- *any restraint/time out used by DMH staff or contracted staff to restrict an individuals' freedom of movement, physical activity, or normal access while in DMH services. If any of the following restraint types or time out occurs as defined they must be reported on an EMT form.*
   - *Chemical Restraint- a medication used to control behavior or to restrict the individual's freedom of movement and is not a standard treatment for the individual's medical or psychiatric condition. A chemical restraint would put an individual to sleep or render them unable to function as a result of the medication. (A pre-med for a dental or medical procedure would not be reported as a chemical restraint.)*
   - *Manual Restraint- any physical hold involving a restriction of an individual's voluntary movement. Physically assisting someone who is unsteady, blocking to prevent injury, etc. is not considered a manual restraint.*
   - *Mechanical Restraints- any device, instrument or physical object used to confine or otherwise limit an individual's freedom of movement that he/she cannot easily remove. (The definition does not include the following: Medical protective equipment, Physical equipment or orthopedic appliances, surgical dressings or bandages, or supportive body bands or other restraints necessary for medical treatment, routine physical examinations, or medical tests; Devices used to support functional body position or proper balance, or to prevent a person from falling out of bed, falling out of a wheelchair; or Equipment used for safety during transportation, such as seatbelts or wheelchair tie-downs; Mechanical supports, supportive devices used in normative situations to achieve proper body position and balance; these are not restraints.)*
   - *Time Out- removing the individual from one location and <u>requiring</u> them to go to any specified area, where that individual is unable to participate or observe other people. Time-out includes but is not limited to requiring the person to go to a separate room, for a specified period of time, the use of verbal directions, blocking attempts of the individual to leave, or physical barriers such as doors or ½ doors, etc. or until specified behaviors are performed by the individual. Locked Rooms (using a key lock or latch system not requiring staff directly holding the mechanism) are prohibited.*
3. All events where there is Law Enforcement involvement when the DMH consumer is either the victim, alleged perpetrator, or law enforcement is support in the event.
4. All events that result in disruption of DMH service due to fire, theft or natural disaster; resulting in extensive property damage or loss.
5. All events where there is sexual conduct involving an individual and it is alleged, suspected or reported that one of the parties is not a consenting participant.
6. All events where there is any threat or action, verbal or nonverbal, which conveys a significant risk of immediate harm or injury and results in reasonable concern that such harm will actually be inflicted.
7. All events where the consumer ingests a non-food item. *Non-food item-an item that is not food, water, medication or other commonly ingestible items.*
8. All events that result in a need for an individual to receive lifesaving intervention or medical/psychiatric emergency intervention. (4.070 - Event Report Processing)

Upon receiving information regarding an incident listed above, your support coordinator will ensure your immediate health and safety needs are met. He or she will then write a report detailing the event. In some cases, your team will meet to talk about what occurred prior to the event and what can be done to prevent a reoccurrence in the future.

Self-Directed Support Regional Office Reviews

The Division of Developmental Disabilities Regional Offices' have a Self-Directed Support Coordinator (SDSC). The role of the SDSC is to provide technical assistance to your support coordinator regarding the policy and procedures related to SDS.   The SDSC or other members of the regional office will also do reviews with you and your support coordinator to ensure that all is running smoothly.   The SDSC may also meet with you at other times in order to create and follow up on Improvement Plans.
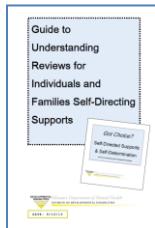
Guide to Understanding Reviews for Individuals and Families Self-Directing Supports"
is a tool that was created to prepare and understand reviews.

The guide can be found at
https://dmh.mo.gov/media/pdf/guide-understanding-reviews-individuals-and-families-self-directing-supports

Individual Support Plan Monitoring and Review

Your support coordinator (SC) will meet with you face to face, no less than every three months. The visit includes interacting with you, and evaluating whether the services outlined in your Individual Support Plan (ISP) are being provided. The monitoring includes observation, and review of documentation. Review of documentation includes review of your Monthly Summary reports (Monthly Summaries may be reviewed at another time or location). During face-to-face visits with you, your Support Coordinators review the Missouri Quality Outcome Life Domain Areas of: Daily Life and Employment, Community Living, Social and Spirituality, Healthy Living, Safety & Security, and Citizenship & Advocacy.

The Support Coordinator monitor to ensure:

- The individual/Designated Representative maintain all paperwork & documentation (Service Documentation and Monthly Summaries)? Is it accurate and up to date? Is Individual/Designated Representative maintaining enough employees to meet needs? Is the Designated Representative completing expected duties of position?
- When family members are providing services, is it provided in the best interest of the individual?
- If SC and Individual/Designated Representative been receiving Monthly Summary from Support Broker (if receiving this service)?

Prior to these visits/contacts, Support Coordinators also review any previous unresolved issues. Information regarding unresolved issues for follow up can be accessed through the Integrated Quality Management Functions Database (APTS Database). The Support Coordinator will also identify if the ISP needs to be updated based on findings.

After the visit your SC will document positive outcomes along with any issues or concerns and send this information to your Division of Developmental Disabilities Regional Office for tracking and trending purposes.

Appendix A Individual Support Plan Monitoring and Review Guidelines Revised 8/19

Self-Directed Support Improvement Plan

When self-directing support, you must follow both the SDS program rules and the FMS rules. The FMS has rules that make sure you are following requirements of US Department of Labor, Missouri Department of Revenue and Division of Employment Security.

If there are multiple issues being identified, patterns of issues repeatedly occurring, or serious situations that must be corrected, your SC and/or Regional Office staff will discuss this with you. A Self-Directed Supports Improvement Plan will be jointly developed for addressing those issues. Issues may be identified on monitoring visits, event reports, and reviews or reported by the FMS.

Improvement plan information needs to be specific to the identified issue and identify specific strategies and time frames for improvement. The goal of a corrective action plan is to focus on needed supports to ensure the employer succeeds in using the SDS option.

Not being able to meet employer/designated representative responsibilities can result in termination of the SDS option and you will be offered agency managed services.

Voluntary and Involuntary Termination of Self-Directed Supports

Voluntary Termination
If you decide you do not want to continue self-directing your supports, you can stop at any time. Your support coordinator can help you begin that process and assist you in transitioning to agency-based services.

Involuntary Termination of Self-Directed Services
In the event the planning team determines your health and safety are at risk, there are concerns regarding your willingness to ensure proper records are accurately kept or that you are unwilling to supervise employees to receive services according to the plan, the choice of self-directing your supports may be terminated. Before terminating self-directed options, the support coordinator and other appropriate staff will first counsel you to assist you in understanding the issues, let you know what corrective action is needed, and offer assistance in making changes. If the SDS option is terminated, the same level of services will be offered to you through a traditional agency-based model.

Some Commonly Asked Questions

How Can I Access Self-Directed Supports?
- If you are interested in participating in SDS you should first talk to your support coordinator.
- Please note that SDS can be chosen *along with* services provided by agency based providers in order to meet all of your needs.
- You may utilize the SDS option if you receive funding through Medicaid Waiver (Comprehensive, Community Support, Missouri Children Developmental Disabilities, or Partnership for Hope) pending the **Utilization Review Committee** approval.
- Once SDS services are approved the FMS will contact you or your designated representative to complete all necessary paperwork in order for you to become an employer. They will also assist you with using their system to pay your employees, maintain and track their training, maintain your service documentation, create Monthly Summaries and track your budget allocation.

What happens to the money in your individual budget if you don't use it all?
If you don't need the total amount allocated for a year, your budget will be reviewed by your support coordinator to see if it should remain the same or be reduced for the next year. Money not needed for one individual's supports can be used for other people with developmental disabilities who are in need of services.

What if you need more money for support than the individual budget allows?
If you need more support, your support coordinator (SC) will write an addendum requesting an increase to your individual budget. The SC will forward this information to the Utilization Review Committee; this committee allows the SC to explain to the committee why the increase is needed. This can occur at any time during the year and is also reviewed, at a minimum, each year when the ISP is reviewed. The SC, Utilization Review Committee and RO director or designee must approve all increases. **Please note that requesting additional funds does not mean they are available.** The individual/designated representative will be held responsible pay the FMS for any payment of their employee wages that exceeds the amount in the ISP budget.

How can you become a good advocate for yourself?
It takes confidence to speak up and express your opinions. The way to develop self-confidence is to have opportunities to speak to and in front of others. We all learn from experience.
   Here are some ways people can assist you in creating those opportunities:

1) Before meetings, review the agenda with them and let them know what you want to say.
2) After meetings, review what was decided and let the team know if there are things you did not understand. Many people have questions about what happened at meetings.

- Let things move at their own pace. Don't be impatient with yourself as you learn to become a better self-advocate. Change comes with time and experience.
- Take opportunities to make choices in your life. The more choices you make, the better you will get at it. Remember, practice makes perfect!

How families and employees can become good advocates and team members for you?

- They listen to you. They think about how you communicate and ask questions in a way that is useful. For example, if you don't speak, they use pictures or drawings to explain concepts. They continue to explore ways to involve you in the decision-making process.
- They don't speak for you, even if they think they know the answer. They try to control their own opinions.
- They may disagree with a decision you've made, however, they realize it is your decision. They recognize that we all learned about decision-making by making some decisions that were smarter than others.
- They listen to others who know you in different settings.
- They don't let someone else's credentials or position get in the way of their knowledge of you. They work as a team and remember **you** are the most valuable part of it.
- They encourage you to explore opportunities, develop your own individual gifts and let others have the chance to know you.
- They avoid the word "CAN'T." Instead, they substitute "How can we..." or "What if ..."

Is group personal assistance available through SDS?
No, with SDS the individual becomes the employer. The individual cannot be the employer for others.

Can individuals participating in SDS have roommates?
Yes, they can have roommates. Our waiver states that the individual who SDS must live in their own private residence or that of a family member. The ISP for each individual must be adequate and support the individual and must stand on its own.

What is a Regional Office HS diploma exemption and how does an employee get one?
The Regional Office may grant an exemption to H.S. diploma/GED requirement when:
- Employee is working towards obtaining a High School Diploma or GED, the employee may be employed for up to one year while the person works to attain the requirement. The employee provides documentation of enrollment in school or GED courses.
- The employee has five or more years of direct working experience. The Regional Office may also approve personal experience towards the five years.

Contact the Regional Office Self-Directed Support Coordinator for assistance in obtaining H.S. diploma exemption.

Where can I find support to train my employees?
The individual/designate representative is responsible for hiring qualified employee and for training. Employees must meet pre-employee training requirements. The employee can be paid at a higher rate because they must meet pre-employment qualifications. For example in Personal Assistance Service an employee must have a High School Diploma.   The Personal Assistant must also have CPR, Med Aid, and Behavioral training unless the training has been exempted by employer and justified in the plan.   The Regional Office SDS Coordinator may be able to assist in finding local training resources.

Can one parent be the designated representative and the other parent be the personal assistance employee?
Yes, as long as the child is not under 18 and the parent does not have legal authority of the individual and meets all other criteria/requirements as employee.

What is the difference between a Support Broker and a Support Coordinator?
The support broker is a waiver service that provides information and assistance in order for the individuals/designated representative to manage the day to day activities of SDS. The support coordinator provides state plan targeted case management services that fall outside of the scope of the support broker, such as level of care determination, free choice of provider, due process and rights appeals, facilitation of services and supports and Individualized Supports Plan.

Can a person receiving Individualized Supported Living or Group Home, Companion or Host Home self-direct their services?
In order to SDS, you must live in your own private residence or that of a family member. SDS shall not duplicate other services. Personal assistance is not available to waivered individuals who reside in community residential facilities (Group Homes and Residential Care Centers). Individuals who receive ISL, Companion or Host Home services, shall not receive personal assistant services at their home, but may receive this service outside the home - as long as it is not included in the ISL budget.

If I am not in a waiver can I SDS? Other public funding can be used to SDS upon agreement of the Regional Office and funding source. Individuals may also directly contact the FMS for private pay.

What is the difference between a Support Broker and Community Specialist?
A support broker is a non-degreed employee who provides information and assistance to the individual or designated representative in order to self-direct their supports. A community specialist is a qualified professional. This means that this person has a degree and special training and knowledge in providing support in their particular area of expertise. A community specialist is used when an individual needs specialized supports to achieve outcomes in the ISP. The service includes professional observation and assessment, individualized program design and implementation and consultation with caregivers. This service may also include advocating for the individual and assisting in locating and accessing specialized services and supports within the community specialist's field of expertise.

Does being payee for an individual constitute legal authority over the individual and disqualify the person who is a payee from being an employee?
Being a payee does not constitute legal authority over the individual. An individual can change their payee at any time. A payee can be an employee of an individual as long as they are not also a conservator. A conservator is court ordered and would be considered to have legal authority over the individual.

Is agency based self-directed service available?
No, agency based self-directed service is not an available option. In order for the service to be self-directed through our waivers, the individual must be the employer.

Can overnight hours be used in SDS; can an employee sleep?
Personal assistance service can be authorized for up to 24 hours a day, based on the assessed need of the individual. Your personal assistance must be providing an active service and cannot do so when they are asleep. Personal Assistance cannot be paid by your waiver (Medicaid) when sleeping.

However within the U.S. Department of Labor Fair Labor Standards Act (FLSA) it states:
"An employee required to be on duty for 24 hours or more may agree with the employer to exclude from hours worked bona fide regularly scheduled sleeping periods of not more than 8 hours, provided adequate sleeping facilities are furnished by the employer and the employee can usually enjoy an uninterrupted night's sleep. No reduction is permitted unless at least 5 hours of sleep is taken." [Fact Sheet #22: Hours Worked Under the Fair Labor Standards Act (FLSA)](#)

This agreement would be between you and your employee, time asleep would not be entered for billing nor will there be a need for service documentation during this time because sleep time is not Medicaid billable.

Is the use of EVV, electronic timesheets and service documentation on the FMS website required in SDS? EVV is required for all SDS employers, as well as employees providing personal care assistance in the SDS program. Electronic timesheets and service documentation allows for employees to submit time worked with supporting documentation. The individuals/designated representatives can then approve time and ensure that the required serviced documentation is maintained. The electronic timesheet and service documentation helps ensure that the number of hours worked is calculated correctly, employees do not accidently overlap time and other errors. This helps avoid a payback situation for an Employer/Designated Representative. No payments should without made without service documentation. Faxing or mailing paper timesheets and service documentation may cause a delay in employees getting paid. The individual/designated representative may use paper timesheets only with prior approval by the state agency regional office.

What is the process to hire an employee who has an offense on their background screening that is not disqualifying?
Background Checks are required for all potential employees prior to beginning employment. The screening is processed by the FMS organization and the employer is informed if the screening is clear and the employee may be hired. If the potential employee has any 'hits' or 'flags' on their report, the FMS will review the offense to determine if it is disqualifying in accordance with 630.170, RSMo. If the offense is disqualifying, the potential employee cannot be hired. When the offense is not disqualifying, the FMS will contact the Individual/Designated Representative to determine if the offense would interfere with the employee's ability to provide supports. If the Individual/Designated Representative chooses to hire the potential employee, they must put in writing their desire to do so. Remember, a prospective employee cannot begin working until the FMS organization notifies the Individual/Designated Representative.

Is there a restriction to the number of hours that an employee can work?
Employees can only work 40 hours per week, the only exception is if your or your designated representative has made arrangement for private pay of the employee.

It is recommended that you schedule your employees for no more than 8-10 hours a day. Scheduling employees for more than 16 hours a day raises the question if your employee is providing services solely to support you and not doing tasks that benefit themselves or the family unit. Additionally having your employee work long hours may create a health and safety risk or be a symptom of additional issues such as not having enough employees or your back up plan is not working. The SDSC receives a report listing any employees working more than 16 hours per day each pay period. These situations are a given priority for review.

Is there any restrictions as to who can self-direct supports?
No individual or designated representative whose provider enrollment agreement has been terminated by MMAC or has a pending investigation with MMAC be allowed to self-direct.

Important Resources

DMH-DD webpage for SDS https://dmh.mo.gov/dev-disabilities/programs/self-directed-supports

DMH Waiver Manual (Comprehensive, Community, MOCDD, Autism and Partnership for Hope Waivers) https://dmh.mo.gov/dev-disabilities/programs/waiver/manuals

FMS Website (Acumen) https://www.acumenfiscalagent.com/missouri/

Abuse and Neglect Training https://dmh.mo.gov/media/pdf/self-directed-supports-mo-abuse-and-neglect-self-registration

Glossary

Advocate: A person whose only role is to assist you in presenting your point of view and helping you make informed choices.

Background Checks: Criminal background checks are required for all of your potential employees prior to beginning their employment. These are processed by the FMS and the employer/designated representative is informed if the screening is clear. If your potential employee has any 'hits' or flags on their report, your FMS and other team members will work with you to determine if this potential employee can be cleared to work with you. **Remember, you must not allow any person/applicant/prospective employee to begin working for you until the FMS organization notifies you that your prospective employee has passed their background screening and had a "Good to Go" status.**

Circle of supports: This is a group of people who care about and advocate for you and wants to assist with your support on a long-term basis. This may also be called a 'support team.'

Community Event Report (CER): A CER is completed if an event happens or is suspected to have happened that is harmful to your health and safety. These events include abuse or neglect and other types of events that create unpleasant effects or create unpleasant effects for you. You and your unpaid family members are not mandated to report these events, but any employee/provider paid to provide Medicaid Waiver services **is** required to report any events that could jeopardize your health or safety. If an event happens or is suspected to have happened, your employee is required to ensure your immediate safety and to contact your service coordinator or designated on-call staff as soon as possible. The department tracks these events to help improve the quality of life for individuals with disabilities. **See Event Manager Tracking (EMT).**

Employer: When you self-direct your supports, someone needs to be the employer. You, as the person receiving services, become the 'employer of record.' As employer, you must be able to direct and manage the worker's day to day activities, making sure the services and goals are provided as written in your plan and provide other duties of an employer. The FMS files taxes and manages payroll functions for the employer. The employer must approve all hours worked prior to submitting time sheets to the FMS. If you need assistance in this area, you elect to have a designated representative to be responsible for these tasks.

Event Manager Tracking (EMT): EMT is the reporting system mandated by Missouri law that sets a procedure to review and report allegations of abuse, neglect and potentially serious events that occur in the DD system.

EVV: The 21st Century Cures Act requires implementation of Electronic Visit Verification (EVV) for all Medicaid-funded personal care services, both agency and self-directed, provided through the Department of Social Services, Department of Mental Health, and/or Department of Health and Senior Services. EVV automatically captures information entered at the time of care and electronically verifies the type of service performed and related tasks, the individuals receiving and providing the service, the date, location and service start and end time through the Fiscal Management Service (FMS).

Fiscal Management Services (FMS): The FMS is under contract with the State of Missouri to act on the behalf of each self-directed supports employer to handle employer-related functions, pay your workers and help keep track of your funds, maintain employee training/qualification information and, starting in February of 2016, service documentation. These services are provided as an administrative service and not as a waiver service and do not come out of your individual budget.

The Centers for Medicare and Medicaid Services (CMS) defines Financial Management Services as: *A service/function that assists the family or participant to: (a) manage and direct the distribution of funds contained in the participant-directed budget; (b) facilitate the employment of staff by the family or participant by performing as the participant's agent such employer responsibilities as processing payroll, withholding and filing federal, state, and local taxes, and making tax payments to appropriate tax authorities; and (c) performing fiscal accounting and making expenditure reports to the participant and/or family and state authorities.*

The State of Missouri contracts for the Fiscal Management Service. By state law 34.040 RSMo, the renewal of the Fiscal Management Service contract must go through the open bid process administered by the Office of Administration and be subject to all purchasing requirements. The Office of Administration receives bids, and each bid is scored based on the proposal submitted. The contract is not solely awarded on cost but scored on number of factors such as experience, reliability, expertise of personnel, and method of performance. The contract is awarded based on the total best score.

Home and Community-Based Waiver (HCBW): The waiver is used as the primary source of funding for people who live in the community. The division uses general revenue funds to match federal Medicaid dollars to pay for services under the waiver. The waiver includes people who live in group homes, supported living, and with their families. The Center for Medicare and Medicaid Services (CMS) is the federal agency that regulates the use of these funds.

MMAC- Missouri Medicaid Audit & Compliance mission is to enhance the integrity of the Missouri State Medicaid program by preventing and detecting fraudulent, abusive and wasteful practices within the Medicaid program and recovering improperly expended Medicaid funds while promoting high quality patient care.

Shared Living: Shared living is an arrangement in which an individual(s) with a disability chooses to live with an individual, couple, or a family in the community to share their life experiences together. A shared living home could be a single person, a college student, single parents, empty nesters or a two-parent family with children or a person could live with an individual in their home, who wants to share their life with an individual with a disability. Shared living can be provided in the individuals home (Companion Services) or in the home of the caregiver (Host Home Services)

Shared Living arrangements may not be provided by a parent, legal guardian or spouse for their child, ward or spouse. For more information go to: https://dmh.mo.gov/media/pdf/shared-living-manual

Individual: A person who is or has been receiving services from the DMH's Division of DD.

Individualized Budget Allocation: The amount of money available for self-direct services approved in your ISP. When you self-direct your services, you are in control of this money, set your employee's wages and can move dollars between approved waiver services.

Individual Support Plan (ISP): A document that results from the person centered planning process, which identifies the strengths, capacities, preferences, needs and personal outcomes of the individual. The ISP includes a personalized mix of paid and non-paid services and supports that will assist the person to achieve personally defined outcomes.

Natural supports: A person or other resource that is available in the community and can be used to help you in the process of being integrated, accepted, and satisfied in the community by helping you with your goals and interests.

Personal assistant: A service that can be self-directed. This person helps you with your daily activities.

Person-centered planning: Person-centered planning is a process-oriented approach to empowering people with disabilities. It focuses on individuals and their needs by putting them in charge of defining the direction for their lives, not on the systems that may or may not be available to serve them. This ultimately leads to greater inclusion as valued members of both community and society.

Quality Enhancement (QE): A set of activities intended to monitor standards regarding support services.

Self-advocate: An individual needing support services independent of interference or undue influence from others, who makes choices and decisions regarding his/her chosen lifestyle.

Self-Determination: A broad concept that means individuals have overall control of their lives and are part of their community. Self-Determination is based on five basic principles:
1) **freedom** to lead a meaningful life in the community;
2) **authority** over dollars needed for support;
3) **support** to organize resources in ways that are life-enhancing and meaningful;
4) **responsibility** for the wise use of public funds;
5) **confirmation** of the importance of leadership that self-advocates must hold in a newly formed system.

Self-Directed Supports Coordinator (SDSC): An employee of the Regional Office, who has the job of coordinating self-directed supports for your region. He or she is available to answer questions your team may have about self-directed supports.

Support broker: A support from an agency which provides you or your designated representative information and assistance in order to self-direct your services.

Support team: The paid and unpaid people who assist you in obtaining and securing needed services. See 'circle of supports.'

Supports: The services and help that enable you to live and work successfully in your community.

Utilization Review Committee (URC):   A formal committee established to review proposed ISP's and individualized budgets and make recommendations before services are approved and authorized.

Vendor Fiscal/Employer Agent (VF/EA):   A type of FMS that we use in Missouri that operates under IRS rules and acts as an "employer agent" for you—performing all that is required of an employer for wages paid on the employer's behalf.

Self-Directed Supports

Ask yourself the following questions: Would you like to have more authority to plan your supports based on the lifestyle you choose? Do you want to be more involved in your community and in those activities that interest you? Would you like to hire the staff of your choice and have more say in how your budgeted dollars are spent? If you are saying "yes" to any of these questions, then the Division of Developmental Disabilities in Missouri has a Self Directed Service option for you.

Self-Directed Supports are based upon the principles of Self-determination, which are:

- Freedom to make choices in your life which will impact your life goals and desires.
- Authority to gain control over your life so you are able to choose what makes your life meaningful.
- Support that is natural and offers community experience and opportunities.
- Responsibility to develop your own unique gifts and talents so you have meaningful ways to contribute to your community.
- Confirmation which happens when your community learns to respect you for your abilities and accomplishments.

Self-determination can begin for you when you make the choice to find out what options are available through Self Directed Services.

Services available through the Self-directed supports option can provide you with the opportunity to try new things through a variety of key components which include:

- Developing a Person Centered Plan (PCP) which describes the supports and services you need to be independent in your daily life. You can choose to facilitate the plan yourself, have friends or family facilitate for you, with the help of your Support Coordinator, or hire a Plan Facilitator to develop a plan to fit your needs.
- Support Brokerage offers a trained Support Broker who will work under your direction to assist you with hiring and managing direct care staff, locating resources and community connections and assisting with supports related to your needs.
- Your Individual Budget will be the total dollar value that directly relates to the services and needs as stated in your Person Centered Plan. You exercise control over your own budget and will be responsible for using those dollars wisely to meet your needs.
- Personal Assistants (PA) are those people who you choose to hire to meet your one-on-one support needs during activities of daily living; making sure you are able to access your community as needed to increase independence, productivity and inclusion in your community.
- Financial Management Services are available through Acumen to assist with payroll responsibilities, support you with billing and documentation of financial services as well as tracking and monitoring your individual budget and expenditures.
- Your Back Up Plan will be designed to ensure you are covered in the event that your staff does not show up as scheduled, they leave without notice, or a situation arises which would put you at risk. The Back Up Plan can involve paid and non-paid staff who have stated they will support you should an issue arise.
- Quality Assurance is provided to make certain you are not alone when you decide to self-direct your services and supports. The local Regional Office will continue to assure your health and safety, work with your support circle and responding to problems and concerns to maintain accountability.